



The Answer of the Masters of the Trinitie-house, to the speciall Obiections
of the Patentee, for the keeping of Winterton lights.

Answer to
the obiection
of neglect.

WHereas it is obiected, that from the eighth of *Elizabeth*, we neuer set vp light-houses at *Winterton* vntill this time: we answer, it is true. The reason is, that vntill now, there was neuer cause, neither in the suggestions of our selues, nor of the Masters of shipping, trading that coast. About 2 or 3 miles from *Winterton*, 13 or 14 yeares since, we built 2 light-houses, and layd 2 booyes at a place called *Cassor*: at which time we founded all those channels, but found no cause why to set vp, or lay out any sea-marke, either for day or night at *Winterton*. Some 10 yeares since, or thereabouts, we made 2 other light-houses at *Lowstoffe*: at which time we likewise founded all those channels on that coast, but found no cause for any sea-marke at *Winterton*: so good was the channell there, that we thought it not needfull; neither was it held necessary by others. Some 6 yeares since, or thereabouts, we sent six of the chiefest of our Corporation, with ketches or boates to found all those channels vpon that coast; and to erect, and lay out such and so many sea-markes, as to them should seeme good: yet found no cause to set vp any light-house at *Winterton*. But now some 4 yeares since, or thereabouts, in one Winter the sands altered, and the channell grew dangerous: and presently after, fell a wracke of 5 or 6 ships: yet not so much by the alteration of the channell, as by a great storme or tempest, that happened by night: which ouer-ruled the skill and cunning of the Pilots, to the losse of the foresaid ships: yet were not all the ships lost which were in this storme, and in the company of those lost ships: for the whole number of ships was 35 or 40, of which onely five or sixe were lost.

That we erected a light-house, as soon as was cause; and that 10 or 11 months before the Patentee.

The charge of the Patentees structures.

His yearly charge.

His yearly receipts.

40 pence for 6 pence.

Presently vpon this, we made preparation, (which was seconded by a generall petition from all the owners and Masters of ships trading *New-castle*, and that North coast) and began to build our Tower-light in March, and finished it in June following; which cost vs 600 pounds; and kept our lights from June to Aprill following, without any collection towards the charge. By which time the Patentee obtained his patent (dated the xvij of Febr. 1617.) by vertue whereof we were commanded to put out our lights: which we did. And afterwards the Patentee broke open the doore of our tower-light, and kept his light in it, vntill his owne structures were erected.

Whereas it is auerred and deliuered, that the Patentee hath bene at 25 or 30 hundred pounds vpon the charge of his structures, or houses built at *Winterton*: we answer, that the like structures or houses may be built for 150 pounds, or thereabouts. And for the surplus of charges, we professe, not to vnderstand it, neither do we thinke that the Patentee can giue an account thereof.

For the monethly or yearly charges of keeping the said lights, we answer: that it is about 11 or 12 pounds a moneth, which is 130 pounds, or thereabouts, a yeare.

Towards this his charge in erecting, and for his maintenance of these lights, 3 yeares or thereabouts he hath received the collection of 2 pence vpon euery chaldron of coales: which amounteth yearly to the summe of 14 or 15 hundred pounds; besides the collection of one pennie vpon the tunne of all other ships trading that coast: which being 40 pence vpon euery 20 chaldron) is neete seuen times so much as the voluntary contribution (of 6 pence vpon euery 20 chaldron) accepted by the *Trinitie-house*, for maintenance of their lights.

Now it resteth to answer to the difference, betweene the Patentee, and the Masters of the *Trinitie-house*, in point of qualitie, and care, for well keeping of the said lights.

The Patentees vsines.

Qualitie, fit to keepe sea-markes.

Care in keeping sea-markes.

Authoritie for keeping sea-markes.

Of the Patentee, we will say but this: he is no sea-man. In the nature of sea-markes, sands, channels, tides, &c. he neither doth, nor can possibly vnderstand.

For the Masters of the *Trinitie-house*, in point of qualitie, who can iustly except against vs? Are we not sea-men, bred euen from our childhood, in the knowledge of marine affaires: of nauigable channels, sands, ebbing, flowing, and setting of tides: in the knowledge of setting out of sea-markes, whether for day or night? is not this knowledge within the compasse of our element, and of ours onely? Are we not at home, when we are in our ships, surging in those channels, and on the seas? who will or can dispute or reason with vs in this element? it is proper to vs, improper to all other.

In point of care, may any be equall to vs? we aduenture our liues, our estates, yea all our meanes within the compasse of these channels: our hopes in all depend vpon the knowledge of channels, sands, and the well keeping of sea-markes. His Majesty repositeth the trust, the care and charge of his Nauie royall (in point of conduction and pilorage) to vs; we say, to vs onely: neither will his Ma: repose this trust in any other Corporation or Companie in this kingdome. If all these weightie motiues be not of force, to settle more care in vs, then in any other, for the well keeping of sea-markes, let vs suffer, and be hanged at the gates of the Kings Court, for example to others.

In point of authoritie, making for vs: it is now 100 yeares, since we were made a Corporation: it is 55 yeares, since the Parliament made a law, to enable vs, for the setting vp, and laying out of all sea-markes: which accordingly we haue done: and neuer questioned vntill now, and that by the Patentee. The examination whereof, by vertue of two feuerall references from the King, came to full hearing, before the right honorable Lords, at the Councell boord; who, by two feuerall orders (as by the said orders at large may appeare) conferred, and confirmed the whole, and sole keeping of all sea-markes, vpon our Corporation. After this, the Patentee got a third reference to Sir *Hemie Yelverton*, then Attorney generall: he takes into his consideration, the legall point onely, (not meddling with the point of conuenience) and finding the want of a negatiue in the statute, certified that the Patentee, by allowance from the King, might do it, as well as we. VVhereupon he obtained his Majestyes grant, and enioyes the benefit: to the great griefe and discouragement of all Merchants, owners, and Masters of ships trading thole Northerne coasts.

The consideration hereof, in all humilitie, we submit, to the mature wisedome and censure of this most honorable Court.